

1 Kirsten A. Milton  
Nevada State Bar No. 14401  
2 Daniel I. Aquino  
Nevada State Bar No. 12682  
3 **JACKSON LEWIS P.C.**  
300 S. Fourth Street, Suite 900  
4 Las Vegas, Nevada 89101  
Tel: (702) 921-2460  
5 Email: [Kirsten.milton@jacksonlewis.com](mailto:Kirsten.milton@jacksonlewis.com)  
[Daniel.aquino@jacksonlewis.com](mailto:Daniel.aquino@jacksonlewis.com)

6  
7 *Attorneys for Defendant*  
8 *J.C.M. Industries, Inc. dba Advance Storage*  
*Products*

9  
10 **UNITED STATES DISTRICT COURT**  
11 **DISTRICT OF NEVADA**

12 QUINTON DRUMMER, STEFFAN  
13 WEBB, and DEMONTRAY  
14 STALLWORTH, individually, and on  
behalf of all others similarly situated,

15 Plaintiffs,

16 vs.

17 ALPHA TEAM CONSTRUCTION  
CORPORATION, BG CONSTRUCTION  
18 SERVICES, LLC, HECTOR BELTRAN,  
and J.C.M. INDUSTRIES, INC., doing  
19 business as ADVANCE STORAGE  
PRODUCTS, jointly and severally,

20 Defendants.

Case No.: 2:18-cv-01251-RFB-NJK

**STIPULATION AND ORDER TO EXTEND  
TIME FOR DEFENDANT J.C.M.  
INDUSTRIES dba ADVANCE STORAGE  
PRODUCTS TO ANSWER OR OTHERWISE  
RESPOND TO PLAINTIFF'S FIRST  
AMENDED COLLECTIVE AND CLASS  
ACTION COMPLAINT, AND TIME TO FILE  
AMENDED JOINT PROPOSED DISCOVERY  
PLAN AND SCHEDULING ORDER**

**(Second Request)**

21  
22 Defendant J.C.M. Industries, Inc. doing business as Advance Storage Products ("JCM"),  
23 by and through its counsel, Jackson Lewis P.C., Plaintiffs Quinton Drummer, Steffan Webb and  
24 Demontray Stallworth ("Plaintiffs"), by and through their counsel, Wolf, Rifkin, Shapiro,  
25 Schulman & Rabkin, LLP, and Defendant Hector Beltran, in proper person, hereby submit this  
26 stipulation to extend the time for JCM to answer or otherwise respond to Plaintiffs' First  
27 Amended Collective and Class Action Complaint, and for the parties to submit their joint  
28 proposed discovery plan and scheduling order.

1 Plaintiffs served their First Amended Collective and Class Action Complaint on JCM on  
2 July 5, 2019, and JCM's response was, initially, due on July 26, 2019. The parties stipulated,  
3 with this Court's approval, to extend JCM's deadline to answer or otherwise respond to Plaintiffs'  
4 First Amended Collective and Class Action Complaint to August 26, 2019. (ECF No. 63). After  
5 preliminary discussions regarding the scope of discovery, the parties further stipulated, with this  
6 Court's approval, to extend the time for the parties to submit their amended joint proposed  
7 discovery plan and scheduling order to September 9, 2019, two weeks after JCM's deadline to  
8 answer or otherwise respond to Plaintiffs' Amended Complaint, to allow further discussions  
9 regarding the scope of discovery. (ECF No. 65).

10 In the course of discussions regarding Plaintiffs' claims, JCM's defenses, and the scope of  
11 potential discovery, counsel for Plaintiffs and counsel for JCM have determined that early  
12 settlement discussions may be fruitful in resolving Plaintiffs' claims against JCM without further  
13 litigation. Accordingly, Plaintiffs and JCM have agreed to a 30-day extension of time for JCM to  
14 answer or otherwise respond to the First Amended Collective and Class Action Complaint, up to  
15 and including September 26, 2019, in order to conduct settlement discussions.

16 The parties further request a corresponding extension of the deadline to submit the  
17 amended joint proposed discovery plan and scheduling order to October 10, 2019, two weeks  
18 after the extended deadline to respond to the Amended Complaint.

19 This stipulation and order is sought in good faith and not for the purpose of delay. This is  
20 the parties' second request for extension of these deadlines.

21 **STIPULATION**

22 NOW THEREFORE, the parties hereby agree and stipulate as follows:

23 The deadline for Defendant JCM to answer or otherwise respond to Plaintiffs' First  
24 Amended Collective and Class Action Complaint shall be continued to September 26, 2019.  
25  
26  
27  
28

1 The deadline for filing the parties' Amended Joint Proposed Discovery Plan and  
2 Scheduling order shall be continued to October 10, 2019.

3 Dated this 26th day of August, 2019.

4 WOLF, RIFKIN, SHAPRIO, SCHULMAN  
5 & RABKIN, LLP

JACKSON LEWIS P.C.

6 /s/ Charles R. Ash, IV

/s/ Daniel I. Aquino

7 Don Springmeyer, Bar No. 1021  
8 Bradley S. Schrager, Bar No. 10217  
9 Daniel Bravo, Bar No. 13078  
3556 E. Russell Road, Second Floor  
Las Vegas, Nevada 89102

Kirsten A. Milton, Bar No. 14401  
Daniel I. Aquino, Bar No. 12682  
300 S. Fourth Street, Suite 900  
Las Vegas, Nevada 89101  
*Attorneys for Defendant J.C.M. Industries, Inc.  
dba Advance Storage Products*

10 Charles R. Ash, IV, Pro Hac Vice  
11 Sommers Schwartz, P.C.  
12 One Towne Square, 17<sup>th</sup> Floor  
13 Southfield, Michigan 48076  
*Attorneys for Plaintiffs*

14 /s/ Hector Beltran

15 Hector Beltran  
16 BG Construction Services, LLC  
17 9775 Hightower Road  
Roswell, GA 30075  
*Defendant, in proper person*

18 **IT IS SO ORDERED.**

19 Dated this 27 day of August, 2019.

21   
22 \_\_\_\_\_  
23 Nancy J. Koppe  
24 United States Magistrate Judge

25 4835-8819-6514, v. 1